



CRM-M-30362-2025

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**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

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CRM-M-30362-2025

Date of decision: 4<sup>th</sup> August, 2025

Bir Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. S.S. Rana, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

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**MANISHA BATRA, J (ORAL):-**

The instant one is the second petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 331 dated 08.12.2024 registered under Sections 406 and 420 of IPC at Police Station Phillaur, District Jalandhar (Rural). His previous petition bearing CRM-M-16134-2025 had been dismissed by this Court vide order dated 13.05.2025.

2. The petitioner has been booked for commission of aforementioned offences on the allegations that he had induced the complainant to part with a sum of Rs. 9,00,000/- on the pretext of sending his nephew Jashandeep Singh to some foreign country without intending to send him there. The money given by him was also not returned.

3. Vide order dated 13.05.2025 passed in CRM-M-16134-2025,



the petitioner was directed to join the investigation subject to his surrendering before the Investigating Officer within a period of one week from that date. As it was reported by the Investigating Officer, that the petitioner has not joined the investigation, therefore, the prayer made by him was rejected by the order dated 13.05.2025 by this Court. The operative part of this order is reproduced as under:-

*“Though, learned counsel for the petitioner has placed on record a photograph to contend that the petitioner along with the village Sarpanch had visited the Police Station for the purpose of joining the investigation and had joined the same. However, no such inference can be drawn from this photograph. He has not been able to show as to on which particular date and month, he has gone to join the investigation. It could also not be explained by his counsel as to why the petitioner did not approach this Court if he was not allowed to join investigation by the Investigating Officer. He has already availed an opportunity for this purpose. The Investigating Officer who is present in the Court has submitted that the petitioner did not come to him to join the investigation at all. As such, it is apparent that the petitioner did not join the investigation in compliance of order dated 24.04.2025 as passed by this Court. He also failed to join investigation in compliance of order dated 24.03.2025 as previously passed.”*

4. It is argued by learned counsel for the petitioner that he deserves to be extended benefit of pre-arrest bail since he had actually gone to join investigation along with one Satwant Singh on 27.04.2025. He had reached at the police station on that date at 11:00 AM and remained present till 3:30 PM. He was also joined into investigation but the Investigating Officer SI Pavitar Singh, who has since retired from service had wrongly



reported before this Court that he did not join the investigation. He has record regarding making call to the Investigating Officer. His custodial interrogation is not required. He is still ready to join the investigation. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. Status report has been filed. It is argued by learned State counsel that there are serious allegations against the petitioner. He did not join the investigation despite the fact that this Court had granted him opportunity to do so. His previous petition has been dismissed after passing a detailed order. There is no new or substantive change in the circumstances since the date of the dismissal of the previous petition. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The previous petition as filed by the petitioner had been dismissed by observing that he had not joined the investigation. The petitioner has placed on record copy of an affidavit sworn by one Satwant Singh to the effect that he along with the petitioner had gone to join the investigation with the Investigating Officer and had even joined the same. A copy of record of *Whatsapp* calls showing that he had been making calls to the Investigating Officer has also been placed on record. Though, these documents had not been placed on record while disposing of the previous petition, however, keeping in view the fact that even in the previous petition, the petitioner had been granted opportunity to join the investigation, this Court is of the considered opinion, that one more opportunity can be granted

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to the petitioner for this purpose. Accordingly, the petitioner is directed to join the investigation by appearing before the Investigating Officer/Arresting Officer on 18.08.2025 at 11:00 AM. The petitioner shall join the investigation on that date also subsequently as and when called upon to do so by the Investigating Officer till the conclusion of investigation proceedings. It is also directed that in the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail subject to his furnishing personal as well as surety bonds to the satisfaction of the Investigating/Arresting Officer and also on compliance of terms and conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. The Investigating Officer shall be informed by learned State counsel.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**4<sup>th</sup> August, 2025**

*Parveen Sharma*

*1. Whether speaking/ reasoned*

*: Yes / No*

*2. Whether reportable*

*: Yes / No*